

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6835**

**BILL NUMBER:** HB 1283

**NOTE PREPARED:** Dec 30, 2005

**BILL AMENDED:**

**SUBJECT:** Epidemic, Pandemic, or Bioterrorism Disease.

**FIRST AUTHOR:** Rep. Noe

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires the State Department of Health to publish and distribute: (1) forms disclosing the risks and benefits of vaccines and medications against epidemic, pandemic, or bioterrorism diseases; and (2) forms for vaccination and treatment exemption by an adult or a parent or guardian of a child. The bill requires a health care provider to provide a copy of the appropriate form to the adult or parent or guardian of a child receiving a vaccination or treatment.

The bill requires the quarantine of an individual who has an epidemic, pandemic, or bioterrorism disease in the residence of the individual or in the least restrictive setting. It also prohibits a governmental entity from taking control of a legally possessed firearm or weapon during a disaster unless the firearm or weapon is being or has been used to commit a crime.

The bill provides that a civil or criminal penalty may not be imposed on: (1) an adult or a parent or guardian of a child who does not give consent to receive a vaccination or treatment; and (2) an individual for the accidental transmission of a vaccine virus or an epidemic, pandemic, or bioterrorism disease.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:** This bill would require that, in both English and Spanish, the State Department of Health prepare, publish, and distribute a disclosure form for vaccines or medications that includes the risks and benefits of each bioterrorism vaccine, medication, or treatment, and an exemption form that explains the right to choose not to receive a vaccine or treatment for adults and children. The bill requires the Department to distribute the disclosure information and exemption forms to each health care provider that

administers a bioterrorism vaccination or treatment. The bill requires health care providers to supply the disclosure forms and explain the exemptions to individuals before administering a vaccine or treatment for a bioterrorism disease.

Currently, the Centers for Disease Control and Prevention (CDC) produce vaccine information statements that explain the risks and benefits of individual vaccines. According to the CDC website, federal law requires the sheets be provided before each dose of certain vaccines are administered. To the extent that a bioterrorism-related disease has an available vaccine or treatment, if the information sheets are available through the CDC, there should be no increased cost to the Department of Health to provide vaccine disclosure forms. However, the cost of providing exemption-from-vaccination forms and the enforcement of health care provider requirements could increase administrative costs under specific circumstances. The additional cost would depend on specific bioterrorism-related circumstances, implementation, and rules adopted by the Department.

The bill confers immunity from civil and criminal penalties for: (1) declining to give consent to receive a vaccine for an adult or for a minor child; and (2) accidental transmission of a vaccine virus or a disease due to receiving a vaccination or having contracted a bioterrorism disease.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The bill also defines locations that may be used for the quarantine, detention, or isolation of an individual determined to have contracted a bioterrorism-related communicable disease or that there is an imminent possibility that an individual will develop a bioterrorism disease. The bill allows a governmental entity to compensate a property owner for the use of property used for quarantine purposes. The cost of this provision is indeterminate due to the specific circumstances defined for the bill.

Local government-operated health care providers would be required to comply with the disclosure and exemption requirements of the bill.

**Explanation of Local Revenues:**

**State Agencies Affected:** State Department of Health; Health Professions Bureau.

**Local Agencies Affected:** Local Departments of Health; County-owned health care providers.

**Information Sources:** <http://www.cdc.gov/nip/vacsafe/concerns/side-effects.htm#td>

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